

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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**MICHAEL AZIZ ZARIF SHABAZZ,**

**Plaintiff,**

**v.**

**9:12-CV-1372  
(NAM/TWD)**

**T. HOWARD, et al.,**

**Defendants.**

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**Z APPEARANCES:**

MICHAEL AZIZ ZARIF SHABAZZ  
72-B-0089  
Upstate Correctional Facility  
P.O. Box 2001  
Malone, NY 12953  
Plaintiff, *pro se*

V HON. ERIC T. SCHNEIDERMAN  
Attorney General for the State of New York  
The Capitol  
Albany, NY 12224  
Counsel for Defendants

**OF COUNSEL:**

RACHEL M. KISH, ESQ.  
Assistant Attorney General

**NORMAN A. MORDUE, SENIOR U. S. DISTRICT JUDGE**

**ORDER**

W The above matter comes to me following a Report-Recommendation by Magistrate Judge Therese Wiley Dancks, duly filed on the 1<sup>st</sup> day of September 2015. Following fourteen (14) days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

After careful review of all of the papers herein, including the Magistrate Judge's Report-Recommendation, and no objections submitted thereto, it is

ORDERED that:

1. The Report-Recommendation is hereby adopted in its entirety.
2. Defendant Atkinson's motion for summary judgment (Dkt. No. 48) is granted, and that judgment be entered in her favor.
3. The Clerk of the Court shall serve a copy of this Order upon all parties and the Magistrate Judge assigned to this case.

**IT IS SO ORDERED.**

Dated: September 23, 2015

Syracuse, New York

  
Norman A. Mordue  
Senior U.S. District Judge

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